United Nations S/2001/1025

Security Council

Distr.: General
31 October 2001

Original: English

Second report of the Secretary-General pursuant to paragraphs 2 and 3 of Security Council resolution 1343 (2001) regarding Liberia

I. Introduction

1. In paragraph 12 of its resolution 1343 (2001) of 7 March 2001, the Security Council requested me to submit to it a first report by 30 April 2001 and to report thereafter at six-month intervals, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone (UNAMSIL) and the Economic Community of West African States (ECOWAS), on whether Liberia had complied with the demands in paragraph 2 of that resolution, and on any progress made towards the objectives set out in paragraph 3 of the resolution.

2. The present report is submitted pursuant to that request and contains information provided to the United Nations Office in Liberia by the Government of Liberia relative to paragraph 2 (a) to (e) of resolution 1343 (2001), as well as information provided by UNAMSIL on paragraph 3 (a) to (d). The report also contains some observations provided by ECOWAS.

II. Information provided by the United Nations Office in Liberia, UNAMSIL and ECOWAS regarding Liberia's compliance with resolution 1343 (2001)

A. Information from the United Nations Office in Liberia

3. The capacity of the United Nations Office in Liberia to provide independent confirmation of claims by the Government of Liberia regarding compliance with paragraph 2 of the resolution is severely handicapped. A number of documents were provided to the Office by the Government of Liberia as corroborating evidence of its compliance with the resolution. Those documents, a list of which is annexed to this report, are available in the Secretariat.

Paragraph 2 (a) of resolution 1343 (2001): expulsion of all RUF members from Liberia, and prohibition of all RUF activities on its territory

Paragraph 2 (b) of resolution 1343 (2001): cessation of all financial and military support to RUF, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support, and taking steps to ensure that no such support is provided from the territory of Liberia or by its nationals

4. The Government of Liberia reports that it remains completely disengaged from the Revolutionary United Front (RUF), in accordance with its policy of disengagement. That policy, according to the Government, was adopted on 12 January 2001 because of misunderstanding about the Government's contacts with both RUF and other parties to the conflict in Sierra Leone. Those contacts had been open and were undertaken under a mandate from ECOWAS for the purpose of promoting regional peace and stability.

5. The border between Liberia and Sierra Leone has remained closed since March 2001. It is patrolled daily by security personnel. No material incidents have been reported by the Liberian patrol, apart from the arrest of the seven diamond smugglers mentioned in the previous report. Although the closure of the border was

01-60937 (E) 311001

not demanded in resolution 1343 (2001), it was nevertheless deemed appropriate, within the context of the policy of disengagement. It should be recalled that the Government of Liberia had requested both the United Nations and ECOWAS to patrol and monitor its closed border with Sierra Leone and to maintain a presence at all other ports of entry.

6. The Government of Liberia expresses the hope that, in the light of the above and in the absence of any evidence of its direct or indirect contact with RUF, it will be clear that it has severed all links with RUF.

7. The Government acknowledges the concern, expressed by the Secretary-General in his first report, at the untidy handling of the expulsion of RUF members, especially Sam Bockarie. It nevertheless has reiterated that Sam Bockarie is no longer in Liberia and has drawn attention to the following:

(a) The expulsion of Sam Bockarie was carried out in conformity with its policy of disengagement, which came into effect one month before the adoption of resolution 1343 (2001);

(b) The Government was not and is not under any obligation to show documentary evidence of departures related to the expulsion order concerning RUF. As adopted, resolution 1343 (2001) does not require the arrest or extradition of any member of RUF, nor does it impose a requirement for the expulsion of any RUF members to a particular country or a designated location. The Government notes also that it is not unusual in this region for daily border crossings to occur without immigration formalities.

8. The Government invites the Council to investigate rumours and unverified reports of Mr. Bockarie's continued presence in Liberia, and requests the assistance of Member States in ascertaining the possible presence of Sam Bockarie in their territories. The Government further states that it is willing to consider any additional measures to prove that it has severed its links with RUF.

Paragraph 2 (c): cessation of all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the certificate of origin regime of the Government of Sierra Leone

9. The Government's ban on the importation of all uncertified rough diamonds from countries with certification regimes is still in force, and is being maintained. The ban on the exportation of Liberian diamonds also remains in full force in Liberia and worldwide, by virtue of a public notice served to all participants in the international diamond industry, including the High Diamond Council.

10. The ban on the importation of uncertified rough diamonds and the related ban on the exportation of Liberian diamonds are being vigorously enforced by customs personnel from the Ministry of Finance and security officers of the Ministry of Justice, who are stationed at every port of entry.

11. The Ministry of Lands, Mines and Energy has distributed to all diamond dealers in Liberia, and received acknowledgement thereof, official circulars concerning the ban on the exportation and importation of diamonds, and has established appropriate reporting requirements on continual dealings in diamonds.

12. The Government confirms that licensed dealers are continuing to deal in diamonds, but that all diamonds bought are stored in vaults that are subject to spot inspection by inspectors from the Ministry of Lands, Mines and Energy at any time determined by the said Ministry.

13. The Ministry of Lands, Mines and Energy has drafted a certification regime in keeping with the demands of the United Nations, and on the basis of the Kimberley process, a centralized export process is being put into place, involving the Ministry of Lands, Mines and Energy, the Ministry of Finance and the Central Bank of Liberia. The ultimate objective of this system is to enhance transparency and legitimacy in the trade of diamonds in Liberia.

Paragraph 2 (d): freezing of funds or financial resources or assets that are made available by nationals of Liberia or within its territory directly or indirectly for the benefit of RUF or entities owned or controlled directly or indirectly by RUF

14. Since the submission of my first report (S/2001/424) on 30 April 2001, the Government of Liberia has provided the Secretariat with the following information:

(a) A court order has been obtained by the Government of Liberia to allow commercial banks operating in Liberia to disclose information to the Central Bank of Liberia on all financial assets and accounts that may be held by RUF or any of its

members named in annex 3 to the report of the Panel of Experts (S/2000/1195);

(b) The Central Bank of Liberia has requested all commercial banks operating in Liberia to provide detailed reports on any accounts or financial assets held by RUF members named in the court order, or individuals connected with them.

Paragraph 2 (e): grounding of all Liberia-registered aircraft operating within Liberia's jurisdiction until it updates its register of aircraft pursuant to annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia

15. The Government has de-registered and effectively closed the Liberian Air Registry. The Civil Aviation Authority of Liberia has begun the formulation and establishment of a new system of civil aircraft registration. The programme is based on the Gates system and is designed to ensure strict conformity with annex VII to the Chicago Convention on International Civil Aviation. A draft of the proposed registry has been completed, and will be reviewed by a team of International Civil Aviation Organization (ICAO) technicians who are due to visit Liberia shortly. While the Ministry of Transport is continuing to engage ICAO in partnership, the Government of Liberia reiterates its earlier appeal to the United Nations for assistance in this area.

16. Misunderstanding over Liberia's request to manage its airspace within the framework of the Roberts Flight Information Region has been resolved through consultations, at the technical level, during an informal coordinating meeting held at Dakar under the auspices of the ICAO Regional Office. A memorandum of understanding containing all the points of agreement and understanding has been drafted by the secretariat of the Roberts Flight Information Region and is soon to be signed.

B. Information from the United Nations Mission in Sierra Leone

Paragraph 3 (a): free access for UNAMSIL throughout Sierra Leone

17. In providing the information cited below, UNAMSIL stated that it did not have the capacity to monitor compliance with paragraph 2 of resolution 1343 (2001). It has, however, provided observations relating to the implementation of paragraph 3 of the resolution.

18. The Revolutionary United Front has allowed UNAMSIL free access throughout Sierra Leone. The deployment of UNAMSIL now covers a considerable part of the country, including Koinadugu in the north, Bo in the south and Kono in the east. The requisite preparations are under way to deploy the second Pakistani battalion in Kailahun by the end of October. With the arrival of the Nepalese battalion, which will be deployed in Moyamba in November, UNAMSIL will complete its deployment throughout the country.

19. Since the first tripartite meeting, on 15 May 2001, of the Government of Sierra Leone, UNAMSIL and RUF, all major decisions taken to move the peace process forward have largely been implemented by RUF, including allowing UNAMSIL free access throughout the country and to areas under RUF control. UNAMSIL has continued to carry out patrols throughout the country to investigate ceasefire violations and to carry out disarmament.

Paragraph 3 (b): release of all abducted civilians

20. Since the first tripartite meeting, RUF has continued to progressively release abducted persons, including child combatants. To date, a total of 1,169 children have been released to UNAMSIL by RUF. A number of them have already been reunited with their families.

Paragraph 3 (c): entering of RUF fighters in the disarmament, demobilization and reintegration programme

21. Despite occasional difficulties, the cooperation of RUF with the disarmament programme since 18 May has been encouraging. Disarmament of combatants has been completed in the Kambia, Port Loko, Western Area, Bonthe and Kono districts. The disarmament, demobilization and reintegration process in Moyamba (for the Civil Defence Forces (CDF)) and Koinadugu (for both CDF and RUF) districts ended on 22 October. On 24 September, while disarmament successfully commenced in Bo district (for CDF), the process took off at a slow pace in Bombali district, home to RUF headquarters. After dealing with the contentious issues raised by RUF on the slowing down of disarmament in

Bombali district, the programme resumed in full swing in the district on 15 October. It is expected to be completed on 31 October 2001.

Paragraph 3 (d): return of all weapons and other equipment seized from UNAMSIL

22. RUF has returned only 87 weapons, including 31 recovered during the disarmament process, 10 vandalized vehicles and 20 stripped armoured personnel carriers. It is hoped that more UNAMSIL weapons will surface as disarmament continues in the remaining districts of Tonkolili, Pujehun, Kailahun and Kenema.

C. Observations of the Economic Community of West African States

23. A mission of the ECOWAS Mediation and Security Council was sent to Liberia on 26 September 2001. Its members were drawn from the ECOWAS secretariat, Côte d'Ivoire, Ghana, Mali, Nigeria and Togo. The members of the mission held working sessions with Liberian government officials and exchanged views with members of the diplomatic corps, the Liberian Press Union and the Liberian National Red Cross, in addition to interacting with traders so as to sample the opinion of ordinary Liberians.

24. Most of the contents of the ECOWAS mission report were reflected in my last two reports on Liberia (S/2001/939 and S/2001/965, of 5 and 11 October 2001, respectively). With regard to paragraph 3 of resolution 1343 (2001), however, the ECOWAS mission observed that there were indications that the peace process in the Mano River basin was moving forward and that Liberia should, therefore, be encouraged to become an active member of the international community.

25. The ECOWAS mission made the following additional observations:

(a) The mission lamented the absence of a monitoring mechanism that could have provided raw data for its exercise. It therefore called for the establishment of a mechanism for monitoring the implementation of the sanctions;

(b) It appealed to the international community to encourage and assist non-governmental organizations to resume their pre-sanctions activities;

(c) It observed that even though some of the socio-economic and humanitarian problems being experienced by the people of Liberia predated the sanctions, they have been aggravated further with the imposition of those sanctions.

III. Observations

26. Since the adoption of resolution 1343 (2001), the Government of Liberia has embarked on efforts aimed at improving relations with its Mano River Union partners. Liberia has actively participated in recent ministerial meetings of the Mano River Union, whose decisions and recommendations, if implemented, could go a long way towards restoring confidence and stability in the subregion.

27. In my report of 30 April 2001 (S/2001/424), I stated that the Council should remain engaged with Liberia and its people whatever decision it might take with regard to the sanctions. I wish to reiterate that statement. The parlous economic and social conditions of the Liberian people, the tense security situation in the country and the peace requirements of Sierra Leone and the subregion demand that sustained engagement.

Annex

Documents provided by the Government of Liberia

1. Letter dated 28 June 2001 addressed to the Secretary-General by the Minister for Foreign Affairs, submitting the second report on initiatives taken and measures being implemented by the Government of Liberia towards compliance with Security Council resolution 1343 (2001), especially paragraph 2 thereof.

2. Letter No. MFA/0257/2-1/'01 addressed to the United Nations Office in Liberia by the Liberian Foreign Minister which tries to encompass the issues raised in resolution 1343 (2001) and the Government's response to them.

3. Report dated 20 August 2001 submitted by the Liberian Ministry of Transport on air traffic management in Liberia.

4. Copy of a letter dated 3 August 2001 from the Ministry of Transport to the Manager of Ghana Airways, requesting passenger manifests on a weekly basis in order to scrutinize any possible violation of the travel ban.

5. Copy of a letter dated 1 April 2001 from the Ministry of Transport to the Deputy Managing Director of WSEASUA Air Transport Company for the same purpose as stated under document 4 above.

6. Copy of a letter dated 1 April 2001 from the Ministry of Transport to SABENA Airlines for the same purpose as stated under document 4 above.

7. Copy of a memorandum dated 30 July 2001 from the Director of Civil Aviation to the Minister of Transport intimating to the latter the cancellation of all Registry agents and airworthiness representation of the Liberian Aircraft Registry.

8. Circular No. 009 distributed worldwide among civil aviation authorities by the Government of Liberia, intimating to the former its decision to revoke the certificates of all Liberian registered aircraft as well as the closure of its Aircraft Registry.

9. Official communication between the Government of Liberia and ICAO intimating to the latter its decision to change its aircraft nationality and registration mark from EL to RL, LI, LB, ML or any other marks acceptable to ICAO in order to stop those who have continued to use its previous registration mark in spite of the act of cancellation already put into force by the Liberian civil aviation authorities.